

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

WEBSTER J. SAUCIER

C.A. NO. 12-CV-01567

VERSUS

JUDGE DRELL

UNITED STATES OF AMERICA AND
DR. RONG YI CHEN

MAGISTRATE JUDGE KIRK

CONSOLIDATED WITH

WEBSTER J. SAUCIER

C.A. NO. 12-CV-01007

VERSUS

JUDGE DRELL

DR. RONG YI CHEN, ET AL.

MAGISTRATE JUDGE KIRK

NOTE: Please file in 12-cv-01567 as per Judge Kirk

REPLY TO THE STATEMENT OF UNDISPUTED MATERIAL FACTS

Plaintiff hereby replies to and responds to the statement of uncontested facts submitted by Defendants in connection with their Motion for Summary Judgment.

1. Uncontested.
2. Uncontested.
3. Uncontested.
4. Uncontested.
5. Uncontested..
6. The allegations of the paragraph are contested. Plaintiff had provided a response to

Defendants in the state court litigation. Upon hearing, undersigned counsel agreed to attempt to be

more specific in the responses and it was made part of an order that included the abeyance of motions made by Plaintiff regarding an issue of prematurity.

7. Uncontested.

8. Uncontested. The information is in the medical records, and no meeting or other disclosure of any information was available to Joe McPherson or Karen McPherson, and yet Dr. Chen and others at the VA in Alexandria specifically discussed Mr. Saucier's case with at least Karen McPherson, Bo Saucier, and others, as evidenced by those records.

9. Webster Saucier had appointed Sheila Salley, Matt Salley and Hillee Salley as the only persons that should be given any information, and Sheila Salley was the POA for that information. See Exhibit 2. Thus, any information given to any other person was illegal.

Respectfully submitted,

THE PESNELL LAW FIRM, APLC

By: /s/W. Alan Pesnell
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C E R T I F I C A T E

I HEREBY CERTIFY that a true and correct copy of the above and foregoing Reply to the List Undisputed Material Facts filed by Plaintiffs has this day been served by placing a copy of same in the United States mail, postage prepaid and properly addressed, to all opposing counsel of record, and/or parties to this proceeding.

Shreveport, Louisiana, this 18th day of March, 2013.

____/s/ W. Alan Pesnell____
Of Counsel